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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,129	01/21/2005	Michihiro Ota	93683	8228
24628	7590	11/02/2006	EXAMINER VU, VIET DUÝ	
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			ART UNIT 2154	PAPER NUMBER

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/523,129

Applicant(s)

OTA ET AL.

Examiner

Viet Vu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/05</u> . | 6) <input type="checkbox"/> Other: _____ |

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Art Rejections:

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clough et al, U.S. pat. No. 6,670,982.

Per claim 1, Clough discloses a system and method for transferring data from an offline camera to a network computer comprising:

a) connecting a detachable information transfer device (wireless media card 114) to an offline device (camera 112) to store

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information into internal memory of the information transfer device (see col 3, lines 24-29);

b) after storing the information, establishing connection from the information transfer device to a communication terminal (108) via a wireless network (see col 4, line 65 - col 5, line 9);

c) controlling the communication terminal to automatically transfer/forwarding the information to the network device (see col 6, lines 7-14).

Clough does not explicitly teach controlling the communication terminal by the information transfer device to transfer data to the network device. Clough however teaches that the information transfer device could be configured to automatically initiate and control data transfer to one or more network devices (see col 4, lines 4-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Clough to provide a program logic in the information transfer device to control the communication terminal because it would have enabled delivery data to other network devices via the communication terminal and the wireless link.

Per claims 2-3, Clough teaches providing/storing logic to control automatic transfer of data stored in the internal memory to other devices (see col 4, line 65 - col 5, line 9).

Per claims 4-6, it is noted that Clough's camera can be utilized as center device for providing taken images to other network devices and/or offline devices (see col 4, lines 4-15) via the information transfer device and corresponding communication terminals, e.g., Ethernet interface, modem, etc., (see col 6, lines 7-14).

Claims 7-9 are similar in scope as that of claims 1-6.

4. Claims 7 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christopher, U.S. pat. No. 6,900,980.

Per claim 7, Christopher discloses an information transfer device comprising:

a) an internal memory for storing information possessed by the offline device (handheld computer) when connected to the offline device (see col 3, lines 52-61);

b) automatic communication control means (synchronization logic) for automatic transfer of the information stored in the internal memory to the center device by controlling the communication terminal when connected to the communication terminal (see col 3, lines 5-38).

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Per claim 10, an official notice is taken that the use of a trash bin in operating system for managing deleted files is well known in the art.

Per claim 11, Christopher teaches providing user interface for displaying control and communication state of the automatic transfer by the communication control means (see col 4, lines 25-55).

Conclusion:

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 4:00pm. The Group general information number is 571-272-2100. The Group fax number is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIET D. VU
PRIMARY EXAMINER

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10/30/06